

**UNITED STATES DISTRICT  
COURT EASTERN DISTRICT OF  
WISCONSIN MILWAUKEE  
DIVISION**

JOHN HUBER, in his individual capacity and  
as Personal Representative of the ESTATE  
OF ANTHONY HUBER,

Plaintiff,

v.

DAVID G. BETH , *et al.*,

Defendants.

No. 2:21-cv-00969-LA

Hon. Lynn Adelman,  
District Judge

JURY TRIAL DEMANDED

Paul Henry Prediger,

Plaintiff,

v.

City of Kenosha., *et al.*,

Defendants.

No. 2:21-cv-01192-LA

Hon. Lynn Adelman,  
District Judge

JURY TRIAL DEMANDED

**JOINT MOTION TO MODIFY DISCOVERY PLAN AND EXTEND DISCOVERY**

Now come the parties, by and through their respective counsel, and respectfully request  
that for good cause shown the Court modify its current Preliminary Pretrial Conference Order

[Dkt. #91] to extend the fact discovery deadline therein from April 12, 2024 until August 30, 2024. The Parties make this request for the following reasons:

1. Under the discovery schedule entered by the Court, fact discovery closes on April 12, 2024, expert discovery closes on September 30, 2024, and dispositive motions are due on October 30, 2024.

2. The Parties have been working diligently to complete discovery and meet the deadlines set by this Court. First, all parties are in the process of completing paper discovery. Additionally, the City and County have made significant document productions between September and December of 2023, which included audio and video.

3. The parties' agreed discovery plan for electronically stored information was submitted to the Court on January 16, 2024. [Dkt. 197.] On February 28, 2024, the parties met to confer about a proposed timeline for the City and County Defendants' ESI Production. Although the City Defendants anticipated ESI production on April 5, 2024, despite their best efforts, they were unable to meet that deadline and requested an additional month. The County Defendants need a similar extension of time to produce. Neither the City nor County Defendants have been able to provide Plaintiff with an anticipated volume of documents to be produced. Therefore, the parties do not presently know the extent of documents Plaintiff would need to review, and that the parties may need to confer about before taking depositions.

4. Additionally, on February 2, 2024, Plaintiffs noticed depositions for Defendants Beth, Miskinis, Larsen, Rittenhouse, and fourteen (14) third parties. However, the depositions needed to be postponed until the City and County Defendants complete production of ESI discovery.

5. For these reasons, the parties respectfully request that the Court extend the discovery deadlines in the Preliminary Pre-Trial Conference Order, as follows:

- Close of fact discovery: August 30, 2024
- Disclosure of Plaintiff's experts: September 29, 2024
- Disclosure of Defendants' experts: November 13, 2024
- Disclosure of Plaintiff's rebuttal expert: December 13, 2024
- Close of expert discovery: January 12, 2024
- Dispositive motions due: February 25, 2025

WHEREFORE, the parties respectfully submit that good cause exists for the Court grant this joint motion to extend the deadlines in the Preliminary Pre-Trial Conference Order, as set forth above.

Date: April 12, 2024

/s/ Quinn K. Rallins

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